

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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WORLD WAREHOUSE AND DISTRIBUTION, INC.

Plaintiff, Counter-Defendant,

vs.

No. 8:11-CV-307  
(NAM/DRH)

STEVEN & COMPANY,

Defendant, Counter-Claimant.

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APPEARANCES:

OF COUNSEL:

Gravel, Shea Law Firm  
P.O. Box 369  
76 St. Paul Street  
Burlington, VT 05402-0369  
Attorney for Plaintiff

Andrew D. Manitsky, Esq.

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and  
Arnstein, Lehr Law Firm  
120 South Riverside Plaza  
Suite 1200  
Chicago, IL 60606  
Attorneys for Defendant

John J. Henry, Esq.

David S. Wayne, Esq.

**Norman A. Mordue, Chief U.S. District Judge**

**JUDGMENT DISMISSING ACTION BY REASON OF SETTLEMENT**

The Court has been advised by United States Magistrate Judge David R. Homer that the parties in the above-captioned case have reported to him that the case has been settled. Counsel has also advised the Court that no infant or incompetent is a party to this action. Accordingly,

pursuant to N.D.N.Y.L.R. 68.2(a), it is hereby

ORDERED, as follows:

1) The above captioned case is hereby **DISMISSED** in its entirety **without prejudice** to re-opening upon the motion of any party within thirty days of the date of the filing of this order upon a showing that the settlement was not consummated;

2) The dismissal of the above captioned case shall become **with prejudice** on the thirty-first day after the date of the filing of this order unless any party moves to re-open this case within thirty days of the date of filing of this order upon a showing that the settlement was not consummated. Upon completion of settlement, the parties are directed to exchange general releases and file a **Stipulation of Discontinuance** with the Court that must include language **"that no party hereto is an infant or incompetent"** in compliance with N.D.N.Y.L.R. 41.3; and

3) The Clerk shall serve copies of this Judgment upon counsel in this matter by electronic means.

IT IS SO ORDERED  
Date: September 7, 2011

  
Norman A. Mordue  
Chief United States District Court Judge